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October 3, 2002

Ms. Mary Potter
Secretary, Board of Oil, Gas and Mining
Utah Department of Natural Resources
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114

**Re: Consolidation of Requests for Agency Action for Quarry Antone
(Docket No. 2002-017, Cause No. M/045/021) & Little Mountain
Quarry (Docket No. 2002-018, Cause No. M/045/005)**

Ms. Potter:

This confirms that Utah Portland Quarries, Inc., as petitioner in the two above-referenced requests for agency action, agrees to consolidation of those matters for purposes of the October 23, 2002 hearing before the Board of Oil, Gas and Mining. Given the nearly complete factual overlap regarding the two requests, and the similarities and proximity of the two mines involved, such consolidation makes sense from both a practical and legal perspective and should streamline the Board's consideration of the requests at the hearing. We have discussed this matter with counsel for the Board and with counsel for the Division, both of whom agree that consolidation would be beneficial.

If you have any questions regarding this matter, please contact me at 801) 536-6658.

Sincerely,

Michael J. Malmquist

MJM/cvd
Enclosures

cc: D. Wayne Hedberg, DOGM ✓
Steven F. Alder, AAG
Kurt E. Seel, AAG

Greg Morical
Harry Philip

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DIVISION OF
OIL, GAS AND MINING



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September 10, 2002

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Docket No. 2002-018

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**DIVISION OF
OIL, GAS AND MINING**

BY HAND DELIVERY

Ms. Mary Potter
Secretary, Board of Oil, Gas and Mining
Utah Department of Natural Resources
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114

Re: Request for Agency Action for Quarry Antone (M/045/021)

Ms. Potter:

On behalf of Utah Portland Quarries, Inc. ("Utah Portland"), pursuant to Utah Administrative Code Rules R641-105-100, R641-105-600 and R641-105-500, enclosed are the original and 14 copies of the following documents for consideration by the Board:

- 1) **Request for Agency Action** (In the Matter of the Request for Agency Action by Utah Portland Quarries, Inc., for an Extension of the Suspension Period under the Approved Notice of Intention for the Quarry Antone Mining Operation Located in Tooele County, Utah)
- 2) **Petitioner's Exhibits in Support of Request for Agency Action** (In the Matter of the Request for Agency Action by Utah Portland Quarries, Inc., for an Extension of the Suspension Period under the Approved Notice of Intention for the Quarry Antone Mining Operation Located in Tooele County, Utah)

Copies of these documents have also been provided to the Division of Oil, Gas and Mining, their counsel, and counsel for the Board.

Utah Portland also respectfully requests that this matter be heard at the Board hearing scheduled for October 23, 2002. Given the nature of Utah Portland's Request for Agency Action and the Division's tentative indication that it will likely support that Request, it is not currently expected that any discovery will be required.

Mine # M/045/021
File Expandable
Record # Binder
Doc. Date 9-10-02
Recd. Date 9-10-02